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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/513,029	02/25/2000	Connie Blackburn	LUCENT-00401	7684
28960	7590	05/20/2004	EXAMINER	
HAVERSTOCK & OWENS LLP 162 NORTH WOLFE ROAD SUNNYVALE, CA 94086			ANWAH, OLISA	
			ART UNIT	PAPER NUMBER
			2645	31

DATE MAILED: 05/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/513,029

Applicant(s)

BLACKBURN ET AL.

Examiner

Olisa Anwah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 4/19/4.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3, 4, 8, 9, 11, 17, 18.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-6 are rejected under 35 U.S.C. § 102(e) as being anticipated by Salimando, U.S. Patent No. 5,970,133 (hereinafter Salimando).

Regarding claim 1, Salimando discloses an audible confirmation system (see Figure 1) in an Intelligent Network for allowing a calling party to audibly hear an audible name of a call recipient, the audible confirmation system comprising:

a database (40) configured for storing a plurality of text names wherein each of the plurality of text names is associated with a unique identifier;

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a control point (col. 3, line 15) coupled to the database and configured to retrieve one of the plurality of text names in response to a call recipient selected by the calling party;

a text to speech converter (30) coupled to the control point and configured to convert the selected one of the plurality of text names into the audible name.

Regarding claim 2, see columns 3 and 4.

Regarding claim 3, see columns 3 and 4.

Regarding claim 4, Salimando discloses a method of allowing a calling party to audibly identify a call recipient (see Figure 2), the method comprising the following steps:

initiating a call from the calling party directed to an identifier belonging to the call recipient (110);

matching the identifier to a text name corresponding to the recipient within a database (116);

retrieving the text name of the recipient from the database (118);

converting the text name of the call recipient to an audible name (120);

audibly playing the audible name of the call recipient to the calling party prior to connecting the call (124).

Regarding claim 5, see columns 3 and 4.

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Regarding claim 6, see columns 3 and 4.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Salimando in view of Fahrner et al, U.S. Patent No. 6,078,655 (hereinafter Fahrner).

Regarding claim 7, Salimando does not disclose automatically redialing the call recipient if the call cannot be connected. However Fahrner discloses this limitation (col. 9, lines 5-15). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Salimando with the redialing step taught by Fahrner. This modification allows for a call to be completed between a called party and a calling party as suggested by Salimando and Fahrner.

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5. Claim 8 is rejected under 35 U.S.C § 103(a) as being unpatentable over Salimando in view of Fahrер, in further view of Finnigan, U.S. Patent No. 6,650,737 (hereinafter Finnigan).

Regarding claim 8, the combination of Salimando and Fahrер does not disclose leaving the call recipient a pre-recorded message from the calling party. However Finnigan discloses this limitation (col. 5, lines 25-30). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Salimando and Fahrер with the message taught by Finnigan. This modification allows a calling party to contact a called party as suggested by Salimando, Fahrер and Finnigan.

6. Claims 9-13 are rejected under 35 U.S.C § 103(a) as being unpatentable over Finnigan in view of Salimando.

Regarding claim 9, Finnigan discloses a method of allowing a calling party to audibly identify a call recipient (see abstract), wherein the method comprising pre-recording a voice message by the calling party directed toward an identifier belonging to the call recipient (col. 5, 25-30) and audibly playing the audible name of the recipient to the calling party (col. 2, lines 20-30).

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Finnigan does not disclose matching the identifier to a text name corresponding to the call recipient wherein the identifier and the text name are stored within a database and converting the text name of the call recipient to an audible name. However Salimando discloses these limitations (see Figure 2a). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Finnigan with the matching and converting steps taught by Salimando. This modification would allow for an announcement database that stores either text or audio data as suggested by Salimando.

Regarding claim 10, see col. 2, lines 20-30.

Regarding claims 11 and 12, see columns 3 and 4 of Salimando. Also see col. 2, lines 20-30 of Finnigan.

Regarding claim 13, see col. 7, lines 55-65 of Finnigan. Also see columns 3 and 4 of Finnigan.

7. Claim 14 is rejected under 35 U.S.C § 103(a) as being unpatentable over Finnigan in view of Salimando in further view of Tessler et al, U.S. Patent No. 6,289,090 (hereinafter Tessler).

With respect to claim 14, the combination of Finnigan and Salimando fails to teach locating the database that contains the

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identifier and the text name belonging to the recipient among a plurality of databases. However Tessler teaches this limitation (see column 10). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Finnigan and Salimando with the plurality of databases taught by Tessler. This solves the problem of delivering large blocks of data to different subscribers when the signaling network is overloaded as suggested by Tessler.

#### ***Response to Arguments***

8. Applicant's arguments have been considered but are deemed to be moot in view of the new grounds of rejection.

#### ***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS

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of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 703-305-4814. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

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OA

Olisa Anwah  
Patent Examiner  
May 4, 2004

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to read 'Fan Tsang', with a stylized, flowing script.